

REMARKS

Applicants have now had an opportunity to carefully consider the Examiner's comments set forth in the Office Action of August 7, 2007. Reconsideration of the Application is requested. Claims 1-34 remain in this application. Claims 1, 20, and 21 are amended herein.

I. The Office Action

Claims 1-19 stand rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement.

Claims 1-6, 15-19, 21-24, 33 and 34 stand rejected under 35 U.S.C. §102(e) as being anticipated by Allen, et al. (U.S. Patent No. 6,549,299).

Claims 7, 8, 14, 20, 25, 26, and 32 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Allen, in view of Hower, Jr. et al. (U.S. Patent No. 5,467,434).

Claims 9-13, and 27-31 are rejected under 35 U.S.C. §103(a) as being unpatentable over Allen in view of Hower, and further in view of Neilsen (U.S. Patent No. 6,639,687).

II. Rejection of Claim 1-19 under 35 U.S.C. §112, First Paragraph.

Claims 1-19 stand rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. It is respectfully requested that this rejection be withdrawn for at least the following reasons.

Independent claim 1 has been amended to recite an integrated and digital product and finishing system for producing and finishing work pieces of a job. A production device produces the work pieces of the job and a finishing device finishes the output of the production device, such finishing device being controlled separately from the production device and having at least one constraint. A production monitor controller that receives the at least one constraint from the finishing device and outputs job coordination information based ***at least in part***, rather than solely, upon constraints of the finishing device. Support for this claim is provided in paragraph [0031] of the present application.

Independent claim 1 is now in compliance with the written description provided in

the specification. Accordingly, it is requested that the rejection under 35 U.S.C. §112 is removed from independent claim 1, as well as claims 2-19 which depend therefrom.

III. Rejection of Claims 1-6, 15-19, 21-24, 33 and 34 Under 35 U.S.C. §102(e)

Claims 1-6, 15-19, 21-24, 33 and 34 stand rejected under 35 U.S.C. §102(e) as being anticipated by Allen et al. It is respectfully requested that this rejection be withdrawn for at least the following reasons. Allen et al. does not teach or suggest the subject embodiment as set forth in independent claims 1 and 21 (and claims 2-19 and 22-34 which depend therefrom).

Independent claim 1 (and similarly independent claim 21) has been amended to recite an ***integrated and digital*** product and finishing system for producing and finishing work pieces of a job. A production device produces the work pieces of the job and a finishing device finishes the output of the production device, such finishing device being controlled separately from the production device and having at least one constraint. A production monitor controller that receives the at least one constraint from the finishing device and outputs job coordination information based at least in part upon constraints of the finishing device. A finishing module coordinator directs operation of the finishing device after receiving job coordination information output from the production monitor controller. Allen does not teach or suggest the subject embodiment as set forth in independent claim 1.

In particular, Allen does not teach or suggest an ***integrated and digital*** system for producing and finishing work pieces of a job. See, e.g. paragraphs [0024] and [0032]. The Examiner cites against the applicant a lack of the meaning of the term “integrated” as grounds for rejection. The meaning of the term “integrated,” as used herein and throughout the present application is that of the normal understanding of the word. “Integrated” is normally understood as “marked by the unified control of all aspects of industrial production from raw materials through distribution of finished products.” Merriam-Webster’s Collegiate Dictionary 650 (11th ed. 2003).

Allen et al. does not teach an integrated production and finishing system because, as disclosed in column 3, lines 3-6, the “finishing machine is a standalone machine meaning that it is not under direct control of the apparatuses being used to

print document sheets.” In other words, the finishing machine is not integrated with the system and it is required for a human operator to know the constraints of the assembling/finishing machines, thus placing stacks to be finished at the appropriate machines according to the finishing details on the instruction sheets. See Allen et al. Figure 1 and column 4, lines 15-19.

Additionally, Allen et al. does not teach an integrated **digital** architecture of all phases of the printing and finishing process. See, e.g. paragraph [0024]. As used herein, “digital” is used as it is normally understood, that is, “characterized by electronic and esp[ecially] computerized technology.” Merriam-Webster’s Collegiate Dictionary 349 (11th ed. 2003). The present embodiment is completely distinguishable from Allen et al. because Allen et al. requires a human operator to bridge the electronic gap between the printer and the finisher. Unlike what Allen et al. teaches, the printing and finishing process disclosed in the present application is capable of providing “automated systems for creating, printing, and finishing complex documents within a...completely digital environment....” See, e.g. paragraph [0004].

Likewise, claim 21 as amended is the method by which the whole printing and assembling process is integrated and digital. Paragraph [0049] of the present application provides that, “One aspect of the invention is a software architecture by which the assembly and finishing Phase 3 of a complex document can be managed as early as during the initial Phase 1....” This is unlike Allen et al. which teaches away from an integrated and digital system by disclosing in column 2, lines 3-6 that the finishing machine “is not under direct control of the apparatuses (in this case computer 12 and printer 14) being used to print document sheets 20.”

Continuing to describe how claim 21 is distinguishable from Allen et al., paragraph [0062] goes on to describe the Finishing Module Coordinator (FMC), as “a software-based controller that manages, interprets, sequences, and allocates assembler/finisher production data...the FMC communicates to each device the data required to program that device for implementation of the job.” On the other hand, Allen et al. expressly illustrates in Figure 1, and column 4, lines 15-16 that a human operator is necessary to allocate printed materials to the appropriate finishing machines,

because the finishing machines are “standalone.”

For at least the above mentioned reasons, Allen does not teach or suggest the subject embodiment as recited in independent claims 1 and 21 (and claims 2-6, 15-19, 22-24, 33 and 34 which respectively depend therefrom). Accordingly, because Allen et al. does not teach or suggest an integrated and digital printing and finishing process, it is respectfully requested that this rejection be withdrawn.

IV. Rejection of Claims 7, 8, 14, 20, 25, 26, and 32 Under 35 U.S.C. §103(a)

Claims 7, 8, 14, 20, 25, 26, and 32 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Allen, et al. as applied to claims 1 and 21 above and further in view of Hower, Jr. et al. (U.S. Patent No. 5,467,434). It is respectfully requested that this rejection be withdrawn for at least the following reason. Allen, et al. and Hower, Jr. et al. individually and in combination, do not teach or suggest the subject embodiment as recited in the subject claims.

Independent claim 20 has been amended to recite a *digital* system for integrating and controlling assembler/finishing processes. The system comprising a production monitor controller capable of separating a production job into job segments based upon the capabilities and constraints of devices to be used in the production process, as well as at least one database for storing information concerning the capabilities and constraints of devices to be used in the production process and for storing job segment descriptions. Additionally, the system comprises a finishing module coordinator, in communication with assembler/finisher devices and with at least one database, for **control, tracking, and integrity functions** of job segments during the production process. Allen et al. and Hower, Jr. et al., independently and in combination, do not teach or suggest the embodiment as recited in the subject claims.

The embodiment of the present application, as recited in claim 20, goes beyond what is disclosed in Hower, Jr. et al. For example, the finishing module coordinator is a complex aspect of the system that is capable of recognizing missing or damaged items. A significance of this particular feature is to allow the printing machines to continue printing only the necessary amount needed to replace such damaged or missing items.

By this aspect, “there is less incentive to print extra copies of each document component, thereby saving printing and inventory cost.” See, e.g. paragraph [0094]. Hower, Jr. et al., independently or in combination with Allen et al., does not teach or suggest such limitation of a database tracking the integrity of the product as it is being printed and finished.

For at least the reasons referenced above, Allen et al. and Hower, Jr. et al. are not combinable, and even if they were, the embodiment of the present application would still be nonobvious in light of one in view of the other. Allen et al, and Hower, Jr. et al. do not teach or suggest the subject embodiment as disclosed in independent claim 20 (and claims 7, 8, 14, 25, 26, and 32 which respectively depend from claims 1 and 21).

Accordingly, it is respectfully requested this rejection of independent claim 20 for being unpatentable under 35 U.S.C. §103(a) be withdrawn.

V. Rejection of Claims 9-13 and 27-32 Under 35 U.S.C. §103(a)

Claims 9-13 and 27-32 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Allen, et al. and Hower, Jr. et al. as applied to claims 8 and 26 above, and further in view of Neilsen (U.S. Patent No. 6,639,687). It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Claims 9-13 and 27-32 are dependent on independent claims 1 and 21 respectively and Neilsen does not make up for the aforementioned deficiencies of Allen, et al. and Hower, Jr. et al. as noted above. Thus, the withdrawal of this rejection is respectfully requested.

CONCLUSION

For the reasons detailed above, it is submitted all claims remaining in the application (Claims 1-34) are now in condition for allowance. The foregoing comments do not require unnecessary additional search or examination.

No additional fee is believed to be required for this Amendment. However, the undersigned attorney of record hereby authorizes the charging of any necessary fees, other than the issue fee, to Xerox Deposit Account No. 24-0037.


In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to call Patrick Roche, at Telephone Number (216) 861-5582.

Respectfully submitted,

FAY SHARPE LLP

10/5/07
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